



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. (MD)No.8439 of 2020

WEB COPY

T.Rajeshwarapandi

... Petitioner

Vs.

1.The District Revenue Officer,
Theni,
Theni District.

2.The Revenue Divisional Officer,
Periyakulam,
Theni District.

3.The Tahsildar
Theni,
Theni District.

4.Arockiaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the third respondent to cancel the patta stands in the name of the fourth respondent and issue patta in the name of the petitioner based on his representation dated 05.11.2019 and consequently, direct the respondents 1 and 2 to supervise the proceedings.

For Petitioner
For R1 to R3

:Mr.J.Senthil Kumar
:Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

ORDER

The petitioner seeks for a direction to issue patta in the petitioner's name in respect of the property in question, by considering his representation dated 05.11.2019.

2.Mr.C.M.Marichelliah Prabhu, learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent, the writ petition itself is taken up for final disposal.

3. The learned counsel appearing for the petitioner would submit that the petitioner has purchased 73 cents out of 84 cents from the legal heirs of one Alagiri Mathari vide document No.6825 of 2013 dated 16.09.2013 and gave a representation to the Tahsildar, Theni to issue patta. The petitioner came to know that the patta was wrongly stood in the name of one Pomminayakar based



on UDR Patta No.1424 and that Pomminayakar executed a sale deed in favour of the fourth respondent in Document No.103/2002 dated 21.01.2002. Therefore, the petitioner has submitted a representation to the second respondent to cancel and to issue patta in his favour based on the documents. The second respondent directed the third respondent to conduct enquiry and dispose of the said representation. In the meanwhile, the fourth respondent preferred a suit in O.S.No.186 of 2014 on the file of the Principal District Munsif, Theni and the same was also dismissed for non prosecution dated 13.09.2019. Thereafter, the petitioner submitted a representation dated 05.11.2019 to the first respondent for rectification of the wrong entry in the revenue records. Since no order is passed by the first respondent, the petitioner is before this Court.

4.The learned Additional Government Pleader submits that the first respondent will pass appropriate order on the representation of the petitioner dated 05.11.2019 as early as possible.

5.Recording the submission of the learned Additional Government Pleader, without expressing any opinion on the merits of the matter, there will a direction to the first respondent to consider the representation of the petitioner, dated 05.11.2019, on merits and in accordance with law as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order. The petitioner shall send a copy of the representation dated 05.11.2019 along with the copy of the order to the first respondent.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Revenue Officer,
Theni,
Theni District.

2.The Revenue Divisional Officer,
Periyakulam,
Theni District.

3.The Tahsildar
Theni,
Theni District.

+1 CC to SGP (SR-13525[F] dated 03/08/2020)

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KM (12.08.2020) 3P 5C